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PATENT
ATTORNEY DOCKET NO.: 040894-7417

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Toshio SHIMIZU et al.)	Confirmation No.: 6215
)	
Application No.: 10/571,249)	Group Art Unit: 3721
)	
Filed: March 9, 2006)	Examiner: Brian D. Nash
)	
For: CUTTER UNIT OF STAPLER)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)

In accordance with 37 C.F.R. § 1.97(d), the above-identified Applicants cite the following patents, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. A copy of the Supplementary European Search Report issued on June 27, 2008 is attached. In compliance with 37 C.F.R. § 1.98(a)(2)(i), a copy of the foreign patents listed on the attached Form PTO 1449 is provided. The following references cited in the Supplementary European Search Report were not cited in the Information Disclosure Statement for the reasons set forth. European Patent No. 0 266 700 corresponds to JP 03-025931 which was cited by the Examiner in an Office Action dated June 26, 2007 as well as the Information Disclosure Statement filed on March 9, 2006. This reference also corresponds to U.S. Patent No. 4,844,319 cited in the Information Disclosure

Statement filed on August 27, 2007 and which has not been acknowledged by the Examiner. It is requested that the Examiner acknowledge receipt of same at the time of the next official action. EP 0 051 395 corresponds to JP 02-021922 which was cited in the Information Disclosure Statement filed March 9, 2006. JP 10-128683 was also cited in the Information Disclosure Statement filed on March 9, 2006. Applicants respectfully request that these items be considered by the Examiner.

Applicants respectfully request that these references be considered by the Examiner, and that the Examiner acknowledge consideration of these references by initialing and returning copies of the enclosed Form PTO-1449 with the next official action.

While this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention or otherwise material to the patentability of this invention as defined in 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d). A Final Office Action was mailed on June 3, 2008. In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of the Supplementary European Search Report issued on June 27, 2008 is attached.

It is believed that a fee of \$180 is due under 37 C.F.R. 1.17(p) with the submission of this Information Disclosure Statement. Please charge this fee and any other fee required in connection with this submission to our Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 29, 2008

By:



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